

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	: CRIMINAL NO.
v.	: DATE FILED: _____
ELAINE SLOMSKY	: VIOLATIONS:
	18 U.S.C. § 1001(a)(2) (false statements
	- 4 counts)
	18 U.S.C. § 2 (aiding and abetting)

INFORMATION

COUNT ONE

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this information:

1. Anco-Tech Inc. ("Anco-Tech"), located at 2525 South Beech-Daly Road, Dearborn Heights, Michigan, manufactured seamless titanium tubing for a variety of uses, including applications in military and civilian aircraft.

2. The V-22 Osprey tilt-rotor aircraft (the "V-22 Osprey") was manufactured by Boeing Integrated Defense Systems, Philadelphia, Pennsylvania ("Boeing"), in a joint venture with Bell Helicopter Textron, Inc. ("Bell") of Fort Worth, Texas, pursuant to a contract with the United States Department of Defense and its component agencies.

3. Anco-Tech sold titanium tubing to Boeing and Bell directly and through approved distributors, including TW Metals, Inc. ("TW Metals"), with offices in Exton, Pennsylvania and New Jersey.

4. Boeing and Bell utilized Anco-Tech's tubing on the V-22 Osprey in various non-critical and flight-critical applications, including the hydraulic system.

5. The United States Department of Defense requires that component parts manufactured for use in military aircraft meet detailed specifications designed to ensure the safety of military personnel and reduce the risk of failed mission, loss of life, and loss of aircraft.

6. Titanium tubing manufactured for use in the V-22 Osprey was required to comply with Aerospace Material Specifications ("AMS") 4945 or 4945A, Boeing Vertol Specifications ("BVS") D210-12096-1 and D210-12096-1A, and the additional specifications referenced in the AMS and BVS specifications (hereinafter collectively "the V-22 specifications").

7. The V-22 specifications required titanium tubing to meet certain chemical, physical, and mechanical standards, and set forth specific manufacturing and quality control procedures, including testing and inspection requirements.

8. The V-22 specifications required manufacturers of titanium tubing to complete a qualification process. As part of this process, manufacturers were required to establish and submit for approval quality control procedures that would ensure that the tubing met the technical requirements of the specifications. Once qualified, manufacturers of titanium tubing were not permitted to make any changes to the method of manufacture and quality control procedures without the prior approval of Boeing and Bell.

9. The V-22 specifications required manufacturers to test and inspect the titanium tubing at various stages of the production and post-production process. These tests included: 1) 100% ultrasonic testing of each tube, which was intended to detect subsurface irregularities of all types and orientation; 2) testing of the chemical composition of the finished

tubing, including hydrogen content; 3) testing for microstructure irregularities; 4) testing of mechanical properties; and 5) dimensional and final inspection intended to detect dimensional discrepancies and surface flaws.

10. The V-22 specifications required manufacturers to assign to each production run of tubing a unique number, commonly referred to as a heat lot number, referring to all tubing that was heat-treated in the same furnace, and that was subjected to the same processing and finishing operations. The heat lot number was used to identify, track, and handle all tubing from the production run.

11. The V-22 specifications required manufacturers of titanium tubing to document each step of the production, inspection, and testing process for each heat lot of tubing, and to maintain these records and produce them for inspection upon request.

12. The V-22 specifications required manufacturers to provide a report containing the results of the various testing required by the specifications, and to certify that the tubing conformed to all technical requirements of the specification, and that the method of manufacture and testing had not changed since qualification. This report is generally referred to in the aerospace industry as a “certificate of conformance.”

13. With respect to tubing manufactured pursuant to the V-22 specifications, authorized personnel of Anco-Tech executed a certificate of conformance entitled “Chemical and Physical Report of Material Shipped,” which contained summary results of chemical analysis and mechanical properties and tests, citing both the specification requirement and testing result. This document contained a certification that the tubing met the requirements of AMS 4945 or AMS4945A, and that the “[m]ethod of manufacture and testing has not changed since qualification.” The documents further certified that the material conformed to specification

D210-12096-1A.

14. Pursuant to the V-22 specifications, Anco-Tech was required to provide a certificate of conformance for each shipment of titanium tubing.

15. Suppliers such as TW Metals were required to maintain all certificates of conformance supplied by Anco-Tech, and to forward to Boeing one certificate of conformance for each heat lot.

16. Boeing was authorized to accept aircraft part certifications on behalf of the United States Department of Defense, including those issued by Anco-Tech , and relied upon Anco-Tech's certificates of conformance in installing Anco-Tech tubing on V-22 Osprey aircraft.

17. From in or about 1994 through June 1999, and from in or about early 2000 to in or about May 2001, defendant ELAINE SLOMSKY was employed by Anco-Tech as a Quality Assurance Supervisor, and as such, supervised the inspection and laboratory departments, and was authorized to execute certificates of conformance.

18. On or about April 19, 2000, in the Eastern District of Pennsylvania and elsewhere, defendant

ELAINE SLOMSKY,

in a matter within the jurisdiction of the United States Department of Defense, an agency of the executive branch of the government of the United States, knowingly and willfully made, and caused to be made, a materially false, fictitious, and fraudulent statement and representation, in that defendant SLOMSKY, acting in her capacity as the Quality Assurance Supervisor of Anco-Tech, signed a certificate of conformance for 37 pieces, 325 feet, 7 inches, of titanium tubing manufactured for use in the V-22 Osprey as heat lot 4DC6783, which falsely certified that the tubing had been manufactured and inspected in accordance with the V-22 specifications, and that

it conformed to the specifications, when defendant SLOMSKY knew that required chemical composition testing had not been performed, and that mandated inspection procedures had not been followed, in violation of the V-22 specifications.

In violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

COUNT TWO

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 17 of Count One are realleged here.
2. On or about April 19, 2000, in the Eastern District of Pennsylvania and elsewhere, defendant

ELAINE SLOMSKY,

in a matter within the jurisdiction of the United States Department of Defense, an agency of the executive branch of the government of the United States, knowingly and willfully made, and caused to be made, a materially false, fictitious, and fraudulent statement and representation, in that defendant SLOMSKY, acting in her capacity as the Quality Assurance Supervisor Anco-Tech, signed a certificate of conformance for 178 pieces, 2,136 feet, of titanium tubing manufactured for the V-22 Osprey as heat lot 4DC6783, which falsely certified that the tubing had been manufactured and inspected in accordance with the V-22 specifications, and that it conformed to the specifications, when defendant SLOMSKY knew that required chemical composition testing had not been performed, and that mandated inspection procedures had not been followed, in violation of the V-22 specifications.

In violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

COUNT THREE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 17 of Count One are realleged here.
2. On or about October 11, 2000, in the Eastern District of Pennsylvania and elsewhere, defendant

ELAINE SLOMSKY,

in a matter within the jurisdiction of the United States Department of Defense, an agency of the executive branch of the government of the United States, knowingly and willfully made, and caused to be made, a materially false, fictitious, and fraudulent statement and representation, in that defendant SLOMSKY, acting in her capacity as the Quality Assurance Supervisor of Anco-Tech, signed a certificate of conformance for titanium tubing manufactured for the V-22 Osprey as heat lot 4DC7009, which falsely certified that the tubing had been manufactured and inspected in accordance with the V-22 specifications, and that it conformed to the specifications, when defendant SLOMSKY knew that required chemical composition testing had not been performed, and that mandated inspection procedures had not been followed, in violation of the V-22 specifications.

In violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

COUNT FOUR

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 17 of Count One are realleged here.
2. On or about February 28, 2001, in the Eastern District of Pennsylvania and elsewhere, defendant

ELAINE SLOMSKY,

in a matter within the jurisdiction of the United States Department of Defense, an agency of the executive branch of the government of the United States, knowingly and willfully made, and caused to be made, a materially false, fictitious, and fraudulent statement and representation, in that defendant SLOMSKY, acting in her capacity as the Quality Assurance Supervisor Anoc-Tech, signed a certificate of conformance for titanium tubing manufactured as heat lot 4DC7182, which falsely certified that the tubing had been manufactured and inspected in accordance with the V-22 specifications, and that it conformed to the specifications, when SLOMSKY knew that required chemical composition testing had not been performed, and that mandated inspection procedures had not been followed, in violation of the V-22 specifications.

In violation of Title 18, United States Code, Sections 1001(a)(2) and 2.

PATRICK L. MEEHAN
UNITED STATES ATTORNEY